

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	
)	Misc. No. 24-648
Plaintiff,)	
)	(Related to Criminal No. 12-6)
v.)	
)	
Derek Secrist,)	
)	
Defendant,)	
)	
Independence Health System, Latrobe)	
Hospital, and its successors and assigns,)	
)	ELECTRONICALLY FILED
Garnishee.)	

STIPULATED FINAL ORDER OF GARNISHMENT

The parties, the United States of America, the Defendant, Derek Secrist and the Garnishee, Independence Health, agree and stipulate as follow:

1. The Defendant's name is Derek Secrist, Social Security Number XXX-XX-1767, and his last known address is XXXXXXXX, Latrobe, PA XXXXX.
2. A Judgment was entered against the Defendant in this action in the amount of \$86,580.31. The total balance due on the Judgment is \$74,103.54, as of June 26, 2024.
3. The Garnishee has in its possession, custody or control, property of the Defendant in the form of wages paid to the Defendant.
4. The Defendant waives service of an Application for a Writ of Continuing Garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205, and further waives the right to a hearing under § 3205, and any other process to which the Defendant may be entitled under the Federal Debt Collection Procedures Act of 1990.

5. The Garnishee waives service of an Application for a Writ of Continuing Garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205, and further waives its rights to answer and be heard in this matter, and any other process to which the Garnishee may be entitled under the Federal Debt Collection Procedures Act of 1990.

6. The Defendant agrees and stipulates that wages are subject to garnishment under § 3205 of the Federal Debt Collection Act, 28 U.S.C. § 3205, and expressly agrees and stipulates that the entry of a Final Order of Garnishment is proper.

7. The parties therefore agree and stipulate to the entry of a Final Order of Garnishment against the non-exempt wages of the Defendant. It is expressly agreed and stipulated to by the parties that the Garnishee shall pay to Plaintiff 5% **to be withheld per pay period** from Defendant's disposable earnings.

Disposable earnings are calculated by subtracting the following from wages, commissions, and income:

- a. Federal Income Tax
- b. Federal Social Security Tax;
- c. State Income Tax;
- d. City or Local Income Tax (if any).

See 15 U.S.C. § 1673(a).

8. The parties further agree and stipulate that these sums are to be applied upon the judgment rendered in this case in the sum of \$86,580.31, upon which there is an unpaid balance of \$74,103.54 as of June 26, 2024. These deductions are to continue until the unpaid balance is fully paid and satisfied.

9. Checks, made payable to *U.S. Clerk of Court* and should include the Defendant's name and court number and be mailed to:


*U.S. Clerk of Court
Attn: Finance Department
700 Grant Street, Suite 3110
Pittsburgh, PA 15219*

10. The parties further agree that the United States has the right to examine the Defendant's financial condition at any time and, at its sole discretion, terminate this agreement.

Respectfully submitted,

ERIC G. OLSHAN
United States Attorney

By: s/Jill Locnikar
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DEREK SECRIST
Defendant


INDEPENDENCE HEALTH SYSTEM,
LATROBE HOSPITAL
Garnishee

APPROVED AND SO ORDERED this _____ day of _____, _____.

Judge, United States District Court

Copies to:
Jill Locnikar, Assistant U.S. Attorney
Derek Secrist
Independence Health System, Latrobe Hospital